A LETTER

TO THE

EARL OF ABERDEEN

ON THE

CORRESPONDENCE

RECENTLY PUBLISHED BY HIS LORDSHIP.

BY ALEXANDER DUNLOP, ESQ.,
ADVOCATE.

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AN ANSWER TO THE DEAN OF FACULTY'S LETTER TO THE LORD CHANCELLOR ON THE CLAIMS OF THE CHURCH OF SCOTLAND.

LETTER, &c.

My Lord,

In the preface to the "Correspondence" recently published by your Lordship, which took place between your Lordship on the one hand, and Dr Chalmers and the Secretaries of the General Assembly's Non-Intrusion Committee of last year on the other, your Lordship complains of the Report presented by the Committee to the Assembly, and of the speech of Dr Chalmers in submitting it, on the ground that the tendency of both was to convey an impression that the measure lately introduced by your Lordship into Parliament "is of a character different from that which, from previous correspondence, the Committee or Dr Chalmers were entitled to anticipate, and indeed falling so far short of what they had been led to expect, as to justify a feeling on their part of 'disappointment and surprise.'" Your Lordship has also in your place in Parliament, with reference to the same subject, observed that the Committee, in their Report of the communications had with your Lordship, "*have been so* UNSCRUPULOUS *in their statements* as to make it probable *that they have not dealt more* HONESTLY" with the noble Lord at the head of her Majesty's Government, to their communications with whom also they had occasion to refer.

My present object is to justify the statements of the Committee in their Report, and to vindicate the members of it from the charge which your Lordship has so *unscrupulously* (as I shall show) made against them,* as well as to notice some matters contained in the "Correspondence," which affect both myself individually and the Committee, and which

* I subjoin the names of the members of the Committee thus accused. The Report was read in draft at one meeting, and then printed and circulated among the members in proof, and it was considered and adopted at a second meeting. An asterisk (*) is prefixed to the names of those who were present at the meeting at which the Report was approved of. *Rev. Dr Chalmers, *Rev. Dr Gordon, Rev. Dr Duncan, *Rev. Dr Makellar, Rev. Principal Dewar, Rev. Dr Smyth, *Rev. John Bruce, *Rev. R. S. Candlish, *The Procurator, *George Buchan, Esq., of Kelloe; Robert Bruce, Esq., of Kennet; James Smith, Esq., of Jordanhill; *Captain Knox Trotter of Ballendean; Lord Provost of Glasgow; *J. C. Brodie, Esq., of Lethem; J. M. Hog, Esq., of Newliston; Colonel Dundas of Carronhall; Claud Alexander, Esq., of Ballochmyle; *A. E. Monteith, Esq.; J. S. Stewart, Esq.; *A. Dunlop, Esq. No member of the Committee, present or absent, intimated the slightest doubt of the correctness of the Report.

will be found also, in no inconsiderable degree, to affect your Lordship. Allow me then, in the first place, to exhibit what the statements of the Committee, which have been characterised by your Lordship as unscrupulous and dishonest, really are.

After mentioning the announcement (which had proceeded from your Lordship after you had resolved to bring in your present bill) that a measure would be introduced, "founded on a proposition which had formed the subject of a correspondence between the Committee and the members of Parliament referred to," the Report proceeds to describe that proposition as follows:—

"The characteristic features of the proposition referred to were, *that reasons should in all cases be assigned by the people for their dissent;* and that whatever power might be recognised as belonging to the Church in the rejection of a presentee, *should be carried into execution by her courts, in the exercise of a free discretion and judgment in each particular case, without being tied down by a fixed rule or law of the Church, imposing the necessity* of giving effect to the dissent of the people equally in every case."

So far there never was any misapprehension of the meaning of your Lordship and the other members of Parliament referred to. Your Lordship, in the clearest and most explicit manner, required, that in all cases reasons should be assigned by the people for their dissent, and that the Presbyteries should be freed from the imperative obligation of any fixed law like the Veto Act, which would *compel* them, in *every* case, to give effect to the dissent of the people, and thus to act *ministerially*, without the exercise of any discretion or judgment on their part. The Committee clearly understood your Lordship to require that the Church Courts should act *judicially*, not *ministerially*—that they should form a judgment in each individual case whether the dissent of the people should or should not be sustained, and they never certainly expected that any measure introduced by your Lordship, would allow the Church to impose on Presbyteries a general law which should *exclude* their judgment and discretion in this matter. The point in regard to which alone misunderstanding has taken place, was the extent of the discretion to be allowed to the Presbytery—whether they should only have power to reject *when they considered the reasons of dissent* by the people, viewed with reference to the whole circumstances of the case, *sufficient, as reasons*, to exclude the presentee; or whether they should be entitled to reject, whenever in their judgment it seemed proper to do so in the circumstances of the case, *in respect simply of the continued opposition of the people, independent of the opinion which they, the Church Courts,*

might form of the reasons on which that opposition was founded. The misunderstanding on this point, which took place at the very commencement of the correspondence with your Lordship, is thus noticed in the Report:—

"In regard to the extent of the power which was proposed to be allowed to the Church Courts in this respect, some misunderstanding had originally taken place. As set forth in a communication from one leading individual," (referring to your Lordship,) "the Committee conceived the result of it to be, (as stated by them in their reply,) 'to leave to the Church Courts simply to determine on the character of the reasons adduced for objecting to a presentee—*preventing them from giving effect, even in a judicial determination, to their views of the inexpediency of a settlement, in respect of the opposition of the people, apart from their opinion of the character of the reasons alleged for such opposition*—nay, excluding as an element in that determination, the circumstance of whether the objection be entertained by a few individuals or by the great body of the congregation.'

"The proposition thus understood (which appears to your Committee to be nearly identical with the measure lately introduced into the House of Lords) the Committee stated to its author that they could not '*even entertain*,' *or* '*listen to for a moment*,' 'involving, as it does, the abandonment of that very principle which the Assembly, by whom they were appointed, resolved could not be abandoned.' The Committee were thereupon informed *that they had entirely misapprehended* the nature of the proposition submitted, which was further explained; and which the Committee then replied, they *now* understood thus, viz.:—'That the Church Courts should have the power to reject a presentee *in consideration of the continued opposition of the people, although they should think the reasons assigned for that opposition as frivolous' as a certain very frivolous reason which had been stated by the writer in illustration.* The proposition '*thus explained*,' it was intimated, would receive from the Committee 'an attentive and favourable consideration.'"

The Committee go on to state, that this construction "*not having been repudiated*, the proposition did accordingly form the subject of an attentive and anxiously favourable consideration by the Committee:" but as no measure had been introduced founded upon it, they decline to report the result of their deliberations; and then referring to the Bill which had been introduced by your Lordship, they observe, that "*coming greatly short* even of that measure in favour of which they had been led to anticipate the full consent of all the influential members of both Houses with whom he is associated, the appearance of the Bill in question could not fail to be met

y them *with feelings both of disappointment and surprise.*" This is the statement which your Lordship has held out to the country—not as arising from *misapprehension* on the part of honourable men—but as *unscrupulous and dishonest.* Your Lordship's charge is founded on the assumption that having been, as you have stated in your speech in the House of Lords, " perfectly frank" with us throughout, we had no pretence whatever for expecting that your measure would allow to the Church Courts the power of in any case rejecting, in respect of the dissent of the people, *apart from their opinion of the reasons* on which the dissent was founded, but only *in respect of the reasons themselves*, as sufficient, when viewed in connexion with the whole circumstances, to warrant the rejection of the presentee as *not qualified*, whether generally for the ministry, or for the particular charge to which he may have been presented. The difference between the two measures is palpable and distinct, and could not be the subject of any doubt or mistake.

Your Lordship has now very explicitly exhibited your views in your Bill, and you have clearly expressed them alike by your refusal to introduce into the Bill the amendments proposed,—by your letters written since it was introduced, and by your speeches in the discussion of it. You have declared your purpose to leave the law as you found it, and as determined by the Court in the case of Auchterarder, and your resolution to exclude Presbyteries from the power of rejecting in respect of the dissent of the people, independent of their opinion of the reasons on which that dissent is founded. Your Bill does effectually exclude such power. It requires that the Presbytery shall, in order to reject, find the presentee " not qualified," and *that*, in respect of the objections or reasons stated by the people. Nor are these merely your Lordship's *present* views. We have the authority of your Lordship in a letter addressed to myself, of date April 24th,* *when the Bill was in preparation*, that the views *then* held by your Lordship had been entertained *all along.* In that letter, your Lordship pointedly *denied* that your views " had undergone some *change* with respect to the nature and character of the legislative measure best calculated to terminate the dissensions at present existing in the Church," observing—" *This is by no means the case. Such as my views were, as explained to the Committee in the month of January, such they remain at this moment.*" This point then is now certain, that *throughout the whole period* of your correspondence with Dr Chalmers and the

* Correspondence, p. 49, 50.

Committee, your Lordship was resolved, as you now are, that the Church Courts *should not have the power*, even when acting, not ministerially but judicially, to reject a presentee *in respect of the dissent of the people, independent of their opinion of the reasons on which it was founded*, but should only be entitled to reject *in respect of the reasons themselves*, viewing them, of course, in connexion with the whole circumstances of the case. The question therefore is, Did your Lordship throughout *frankly* avow this determination? or did your Lordship lead, or allow, the Committee to believe that you would support a measure which would leave the Church Courts power, when they saw cause, judging in each particular case, and free from an imperative and compulsory law of the Assembly, to reject a presentee, *simply in respect of the dissent of the people*, independent of their opinion of the reasons on which such dissent was founded?

In your Lordship's first communication to the Committee, I admit that I thought, as the Committee also thought, that you had expressed the views which have now been avowed by your Lordship, and given effect to in your Bill; and had it not been that the construction put upon it by us—a construction in accordance with the Bill and your recent declarations—was *repudiated* by your Lordship, no misunderstanding could have taken place. Indeed all conference must have come to an end, as the idea of an arrangement would at once have appeared to be utterly hopeless. Your Lordship, however, did altogether repudiate *that very construction*, and thus gave rise to the expectations which you deem us to have been so unscrupulous in asserting that we had reason to entertain.

The original proposition of your Lordship now referred to, is contained in your letter to the secretaries of the Committee of the 20th January,* and in one of the 22d January to Dr Chalmers;† and your Lordship mentions it as having been stated to the Committee, to the same effect, at a conference between them and your Lordship along with Sir George Clerk, Sir William Rae, and Sir George Sinclair, on the 10th of January. As given in the former, it is as follows:—

"That the Presbytery shall be bound to take a qualified presentee on trials; and in the course of the proceedings previous to ordination, the objections of the parishioners, if any, shall be received and duly weighed by the Presbytery; such objections, in every case, to be accompanied with reasons assigned; but the Presbytery to be at liberty to consider the whole

* Correspondence, p. 6. † P. 10.

circumstances of the case before them, and to form their judgment without reference to the actual number of persons dissenting, or their proportion to the whole amount of communicants and heads of families in the parish—the decision of the Presbytery, with respect to the fitness of any individual for the charge to which he is presented, to be founded on such full and mature consideration, and to be pronounced on their own responsibility, and according to the dictates of their hearts and consciences. In a word—and to adopt the expression of Dr Chalmers—it was proposed to recognise a *presbyterial* veto, instead of the *popular* veto which it had been attempted to establish by the Act of the General Assembly; all proceedings before the Presbytery to be liable to review in the superior Church Courts."

Dr Chalmers, who had been strongly impressed with the conviction, in consequence of what passed at the conference above mentioned, that your Lordship had agreed that the Presbytery should have power to reject, in respect of the dissent of the people, though *not* satisfied with the reasons assigned, put upon this proposition a corresponding interpretation; and he thought the Committee over-scrupulous in not adopting that interpretation. The Committee, however, did think that the true meaning of that proposition, as framed by your Lordship, was that which has now been given effect to in your Bill, and they communicated to your Lordship their views of it accordingly in the letter by the secretaries of date January 28th.* "It appears to the Committee," this letter bears, "that the result of your Lordship's proposition would be to leave to the Church Courts simply to determine *on the character of the reasons* adduced for objecting to a presentee—*preventing them from giving effect, even in a judicial determination, to their views of the inexpediency of a settlement, in respect of the opposition of the people, apart from their opinion of the character of the reasons alleged for such opposition*—nay, excluding, as an element in that determination, the circumstance of whether the objection be entertained by a few individuals, or the great body of the congregation." They further stated, that "*they have not the power* EVEN TO ENTERTAIN such a proposition, *involving as it does the abandonment of that very principle which the Assembly, by whom they were appointed, resolved could not be abandoned.*" They went on to explain, that a "proposal that the power of the Church in this matter should be exercised *judicially* in each case, and *free from the imperative obligation of an unbending statutory rule*, and that *the reasons of*

* Correspondence, p. 18.

disapproval should be stated, in order to admit of the Church Courts dealing with the people in regard to them," might have been "*considered*" by the Committee, "*whatever judgment they might ultimately have formed upon it;*" but they distinctly stated to your Lordship, that "*any* proposition *implying that the Church should* NOT *have* POWER *to reject,* SIMPLY *in respect of the circumstance that the congregation continued to oppose the settlement,* THEY CANNOT LISTEN TO FOR A MOMENT." And finally, they pointed out that their objections "to the proposition in your Lordship's letter, as it is at present framed," were, as your Lordship would perceive, "INSUPERABLE."

Now, my Lord, I ask your Lordship how it happened that entertaining *then*, as you now inform us you did, the very same views you hold *now*, and thus resolved to adopt as the basis of any measure which you could support, a proposition *excluding* Presbyteries from the power to reject simply in respect of the circumstance that the congregation continued to oppose the settlement,—you did not at once *frankly* acquaint us that you could consent to *no* proposition that did *not* exclude such power? Your Lordship found no difficulty in doing this *after* the Bill was introduced. Dr Chalmers objected to it, (just as the Committee in their letter above quoted objected to your Lordship's proposition, and almost in the very same words,) that "the Presbytery are restricted by it from giving effect to the conscientious dissent of the people on the ground of the simple fact of that dissent, and irrespective of reasons;" and he required that the Church, though not continuing "bound," as under the Veto Act, "to give effect universally to the dissent of the people," should be left "free to give that effect severally in every instance, when in her judgment it is for the Christian good of the parish that such effect should be given to it."* Your Lordship at once and peremptorily refused to adopt the amendment on your Bill proposed by Dr Chalmers for accomplishing this object, and with even an exaggerated horror at it, declared that it would be substantially the Veto over again; observing, "If I were in the Bill to recognise any such power as that which you propose by your amendment, I should enable the Church to give effect to that act which it is a main object of my measure to exclude. I should substantially legalize and establish the Veto, and thus perpetuate an act which has been pronounced to be illegal, and which I think mischievous, as well as stultifying myself."† When, therefore, the *Committee* in *January* stated to your Lordship the *same* views which *Dr Chalmers* stated in *May*, how was it that your Lordship did

* Letter, May 18. Correspondence, p. 61. † P. 68; also p. 60.

not give the same answer then?—that you did not tell us that, in your Lordship's view, our proposition was substantially the Veto over again—that your main object was to exclude the very power we held to be essential—and that you had no conception of legalizing any thing pronounced to be illegal by the decision in the Auchterarder case, being the very decision, be it remarked, against which, and against which alone, we were seeking legislative redress? How, I say, did your Lordship not follow this course? It is true, that having told your Lordship that our objections to such a proposition as your Lordship has now embodied in your Bill were "*insuperable*"—that we "*could not listen to it for a moment*"—your Lordship must at once have ceased to appear as in any degree our friend—our correspondence must have come to an end—and the supporters of Non-intrusion must have been thrown entirely on the Government and their adherents, as the only party to whom they could look for any relief, for any measure at all in accordance with their principles, or which they could even take into consideration. Still, my Lord, *whatever* the results might have been, and however unprepared your Lordship and your political friends may *at that time* have been for these results, the course I have mentioned was the only one that could be deemed frank and open—the only course that was consistent with candour.

But what did your Lordship do? You informed us in your letter of the 1st February, addressed to Mr Candlish and myself, as secretaries to the Committee,* that we had "ENTIRELY MISAPPREHENDED" the import of your letter. "It is *very agreeable* to me," observed your Lordship, "to be able to *assure* you that you have ENTIRELY *misapprehended* the import of my letter;" and you go on to express a hope "that it will be found sufficiently clear and explicit, and that *there is no expression* which can *fairly* be understood to *limit* or *fetter* the DISCRETION of the Presbytery in the *ordination* and *admission* of ministers." Now, the point in regard to which the Committee objected to your Lordship's proposition, as, *fettering* the *discretion* of the Presbytery, was expressly stated in their letter to be, that, as *they* interpreted the proposition, it would prevent Presbyteries "from giving effect, even in a *judicial* determination, to their views of the inexpediency of a settlement, *in respect of the opposition of the people apart from their opinion of the character of the reasons* alleged for such opposition." *This* was the *limitation* and *fettering* of the Presbytery to which the Committee objected; and when your Lordship told them that they had "ENTIRELY

* Correspondence, p. 22.

misapprehended" your letter, and that it was not intended "to *limit* or *fetter* the *discretion* of the Presbytery," they were surely warranted to infer, that your Lordship did not mean that the Presbytery should be limited or fettered *in regard to that very point*, as to which the Committee had complained of their being limited and fettered by your Lordship's proposition, as originally construed by them.

Your Lordship, however, "to prevent further misapprehension"—an attempt often made by your Lordship, but one in which you have been signally unsuccessful throughout—stated *in illustration* "an imaginary case" as follows:—"It is agreed that in all cases the people objecting to a presentee shall assign the reasons of their dissent, be they what they may. Now, let us suppose that any number of persons should object to a presentee because *he had red hair*. This would, no doubt, be a very bad reason; *but if they persevered in their hatred of red hair*, and the Presbytery found it *consistent with their sense of duty, and the dictates of their own consciences, they might give effect to the objection by rejecting the presentee*. But then the reason of dissent on the part of the people, as well as the rejection by the Presbytery, would be recorded; and if the superior Church Courts should confirm the decision, *the matter would there terminate*. It is to this *publicity*, and to the *common sense and justice of mankind*, that I look for a *security* against arbitrary and capricious proceedings in any quarter."

I may remark in passing, that the "security" *here* mentioned is very different from that interference by the Civil Courts, to which your Lordship appears *now* exclusively to look; but I go on to acknowledge that, although the *previous* part of the letter seemed sufficiently clear and unambiguous, this *illustration was* ambiguous, and was capable of *two*, and these very opposite, constructions.

It *might* mean that if the Presbytery found it consistent with their sense of duty, and the dictates of their own consciences, to hold the *quality* of red hair *a valid ground of exclusion*, they might reject the presentee; *or* it might mean that they should be entitled to reject him if they found it consistent with their sense of duty, and the dictates of their consciences, to hold *that the inveterate repugnance of the people, though founded on such an absurd reason*, was a sufficient ground for refusing to settle him. Under both interpretations the "security" referred to by your Lordship would equally apply; for the check of public opinion, and the common sense and justice of mankind, on your Lordship's view, in such a case as that supposed, would as readily prevent a Presbytery from holding repugnance to the presentee on the part of the people, when rested on his having red hair, to be a sufficient ground of rejection, as it would prevent them from holding

the personal quality of red hair to be in itself a sufficient ground of rejection. The *principles* of determination, however, involved in these two interpretations were very different. Under that *first* mentioned the Presbytery must judge of the validity of the objection, and would have no power to reject unless they could come to the conscientious conviction that the objection was *in itself*, though viewed of course in connexion with all the circumstances of the case, a sufficient ground for excluding the presentee. Under the *second* interpretation, again, the Presbytery would have *power*, whatever judgment they might form of the objection itself or the reason of the people's opposition, to refuse to settle the presentee *in respect of the repugnance of the people*, in every case in which they held it consistent with their duty, and the dictates of their conscience, so to do. In both views they would be subject to the control of public opinion, and being freed from the operation of a general law, *compelling* them to reject in *every* case where a majority dissented, they would of course, "like other men," fall to "be governed," as your Lordship had in the same letter observed, "by rational considerations." But in the *one* case they would have *no* power to give effect to a repugnance, however strong, unless they could conscientiously sustain the *ground* of that repugnance as a sufficient reason of rejection; while in the *other* they *would have power* when they saw cause, and found it consistent with their duty and conscience, to reject *simply in respect of the opposition of the people*, whatever opinion they might form of the grounds on which that opposition was rested, and however frivolous they might deem these to be.

Now, the *former* of these constructions *was exactly that which the Committee had, in their letter of the 28th January, put upon your Lordship's proposition*, as contained in your letter of the 20th, and with reference to which construction you had told them in your letter of the 1st February, that they had "*entirely misapprehended*" its import. They could not, therefore, adhere to that interpretation without imputing to your Lordship a meaning which you had disavowed—an intention which you had disclaimed. Now, my Lord, I will frankly own that I individually *did* suspect your Lordship of at heart retaining the construction which the Committee in their letter of the 28th had put upon your Lordship's proposition, and I stated that suspicion at the time. The Committee generally, however, held it impossible to imagine any thing so dishonouring to your Lordship, and considered that they must of necessity, from the two interpretations of which this illustration was capable, select that which was consistent with the previous part of the letter, and not that which was at utter variance with it, which they had previously put on your proposition,

but which your Lordship had in the most explicit terms disavowed.

They at the same time thought it right to make an attempt on *their* part "to prevent further misapprehension," and they accordingly directed the interpretation which they *now* put on your Lordship's proposition to be communicated to you. This was done in a letter written by myself, as secretary, of date February 4th, which, so far as regarded this matter, was expressed as follows :—

"My Lord,—Your Lordship's letter of the 1st was laid before the weekly meeting of the General Assembly's Committee, held yesterday.

"The Committee are gratified to find that they have so entirely misapprehended your Lordship's sentiments, and *they trust they do not misunderstand them now*, in supposing you to agree *that the Church Courts should have the power to reject a presentee in consideration of the continued opposition of the people, although they should think the reasons assigned for that opposition as frivolous as that in the case supposed by your Lordship, viz. his hair being red.* Your Lordship's proposition *thus explained*, will receive from the Committee an attentive and favourable consideration." *

It *now* appears, my Lord, that your Lordship's proposition *thus* explained, was not one which in reality you ever contemplated :—that, on the contrary, you were then as now resolutely determined that the Presbytery should *not* have power to reject a presentee in consideration of the continued opposition of the people, where they were not prepared to find that the objections on which the opposition was founded, viewed with reference to all the circumstances of the case, were in themselves sufficient to exclude him, as "*not qualified ;*" but that they should be *bound*, as your bill proposes to take them bound, to admit the presentee in spite of such opposition. Your Lordship has claimed credit from your brother peers for having been throughout "perfectly frank" with us. How was your perfect frankness shown on this occasion ? By informing us, in accordance with what you now hold, and what you say you *then* held, that it was altogether unnecessary for us to do what we proposed, to take the proposition, so explained, into "consideration ?"—that we had "entirely misapprehended" your meaning ?—that you never would support such a measure as the Committee described ?—that it was substantially, in your Lordship's opinion, the Veto over again ?—and that your Lordship's objections to the proposition thus explained, were as "insuperable" as ours were to it, under the construction we originally put upon it ? Did your Lordship in *this* way show your boasted *frankness?*

* Correspondence, p. 24.

No, my Lord. Your Lordship ACQUIESCED in the interpretation put by the Committee upon your proposition. It is true that your Lordship did not return an answer to the Secretaries; but looking to the tenor of the Committee's letter, silence on your part was sufficient to warrant them to infer that your Lordship admitted the correctness of the construction, and, on the faith of your Lordship's acquiescence, to proceed to the consideration they had proffered to the proposition, *as understood by them*, in contradistinction to that which they had informed your Lordship, they could not listen to for a moment.

But your Lordship's acquiescence was NOT *merely tacit*. You did not send any reply to the *Secretaries*, it is true, but you addressed a letter *to Dr Chalmers, the Convener*. The letter to which I refer is the important, and, considering your Lordship's *recent* avowals, the extraordinary one of the 6th of February.* This letter was written on the very day on which the Committee's letter of the 4th must have reached London, but *after* your Lordship had received that letter, as clearly appears from a reference by your Lordship to the information communicated in it, that a deputation from the Committee was about to proceed to London.

It commences thus :—" My dear Sir, I cannot help thanking you for your last letter, *with the sentiments expressed in which* I ALMOST ENTIRELY CONCUR. I am also happy to perceive that *you* did not *misapprehend* the import of my former communication. This the *Committee very unaccountably* did; *but the matter is now explained*, and I AM NOT AWARE OF ANY MATERIAL DIFFERENCE EXISTING IN THE OBJECTS PROPOSED BY THE COMMITTEE, AND THOSE WHICH I SHOULD BE PREPARED TO SUPPORT."

There are several matters in this passage deserving special consideration.

In the first place, your Lordship assures Dr Chalmers that you " almost entirely concurred" in the sentiments expressed in his letter, and that *he* had *not* misapprehended the import of your former communication, as *the Committee* had " very unaccountably" done. Now let us see what were the sentiments expressed by Dr Chalmers, in which your Lordship assured him that you " almost entirely concurred," and what was the interpretation recognised by your Lordship as the true interpretation put on your proposition, as communicated to the Committee in your letter to them of the 20th January, and quoted in your letter to Dr Chalmers of the 22d of the same month.

The letter of Dr Chalmers referred to by your Lordship, is that addressed to you by him of date January 27th,† and

* Correspondence, p. 25.

† Correspondence, p. 13.

it details his views in nine distinct and articulate paragraphs formally numbered, and so expressed as to exclude the possibility of mistake as to what his sentiments really were. After, in the first three paragraphs, stating certain propositions made by him to your Lordship privately at Haddo House, your Lordship's country residence, and at Dalmahoy, he, in the *fourth* paragraph, adverts to the conference had by the Committee, in the beginning of January, with your Lordship, Sir George Clerk, Sir George Sinclair, and Sir William Rae, and states his "impression," from the conversation which then took place, that all parties present were "substantially at one, both as to the accompaniment of their dissent with reasons by the people, and as to the full power of the Presbytery to sit in judgment *on the whole case*." He then specially refers to a particular case put by some members of the Committee, by way of *testing* whether, under the use of the *same* general *terms*, different *things* might not be understood by the several parties. He mentions this as follows:—"I had the feeling at the time, that as this seemed to be the common understanding of both parties in the conference, it was *unnecessary* in some of our members to specify the particular case of a Presbytery *not being satisfied with the reasons produced, and yet sustaining the dissent*, when satisfied of its proceeding from a real and honestly-expressed dislike on the part of the people; thinking as I did *that the fulness of the judicial power intrusted to the Presbytery, comprehended this and every other case that could possibly occur or be imagined.* But even this specification did not appear to me to disturb our unanimity, *as your Lordship*, I thought, *did not object to a dissent being sustained even in such an instance, provided it was done by the Presbytery on its own responsibility*." *

* The concurrence of Lord Aberdeen here alluded to, was inferred from his not expressing any difference of opinion, when, on the specific case mentioned in the text being put, *Sir George Clerk*, in the most explicit terms, stated, that he understood that the Presbytery should have the power of rejecting the presentee in the circumstances supposed. Subsequently, Sir George, in a letter of 21st January, gave his understanding of the "leading features of the plan that was suggested" at this conference, in the passage quoted by Dr Chalmers in his speech. Knowing how explicitly Sir George had expressed his sentiments at the conference, no one doubted that this passage meant exactly what he had there stated. He has now, however, in a letter recently published, intimated that, according to his "meaning," there is "no difference between Lord Aberdeen's Bill" and that passage in question. I do not dispute that it is *capable* of the same interpretation; for Sir George seems, in point of ambiguity in writing, to be an humble imitator of Lord Aberdeen; but I leave him to reconcile the construction he now puts upon it, with the explicit statement of a different meaning at the conference to which his letter refers. If he thinks it right to attempt this, he may ssibl y also deem it proper to avail himself of the opportunity of ex-

He then proceeds, in the fifth paragraph, in these terms :—"5. On farther reflection, I am satisfied that the gentlemen who brought forward the instance of a dissent being sustained, *irrespective of the reasons*, did right.—First, because it was fair and honest that you should understand the full extent of the *judicial power* which we desire for the Church. Second, because, though the reasons as expressed by the people might none of them be of a very presentable or pleadable character, there might after all be a well-founded dislike on their part, that might prove a most effectual moral barrier in the way of a minister's Christian usefulness among them; and, third, because, unless the measure be of that full and comprehensive nature which may provide for every possible or conceivable instance, and so as to make the Presbyterial Veto quite absolute, we shall not be placed quite securely beyond the reach of interference, and so of a collision with the Court of Session."

In the *sixth* paragraph again he observes,—"In reference to the finality of the *Presbyterial Veto*, which is altogether an expression of my own, it is but doing justice to my *long-cherished* opinions when I say, that so far from *conflicting* with the *popular* Veto, *I believe that in far the greater number of instances it will never be more righteously or usefully exercised than when giving effect to it.* Grant me a simple and sincere, however illiterate, congregation, and there could not be offered a weightier element for my decision than the real unwillingness of such a people for a particular minister, if satisfied that it is on religious grounds, though grounds which can neither be distinctly stated, nor far less logically defended by them."

In the *seventh* he mentions the form of a Bill, which would unquestionably have given all the power he desired, and consequently would, in his opinion, have afforded full security against the re-enactment of the Veto Act, as in his view giving full security for Non-Intrusion, which the Veto Act was intended to accomplish; and then in paragraph *eighth* he goes on—"8. I confess that were the Veto Act still to subsist, I should have liked to see a modification of it, at least to the effect of our being able to set aside the popular dissent, on its being proved to have been a dissent not from religious motives. In the free exercise of our proposed judicial power, we shall be able to take cognizance of this element, and to decide upon it. If there be at all a difference betwixt us, it is whether we are to have *a perfect and unexcepted freedom.* Sir George Clerk, both in word and in writing, seems to con-

plaining how he came to give the assurances, which he did give, during the sitting of the Assembly, that if the Assembly disapproved of Lord Aberdeen's Bill, his Lordship would not persevere in attempting to pass it, while, as Lord A. alleges, he had no authority whatever from him to do so.

cede this, *and I flatter myself that your Lordship does not differ from him.* The instance given is perhaps the best possible for testing the whole extent of our freedom. We are willing that reasons should always accompany dissent, and that these reasons should be dealt with and canvassed to the uttermost; *but we are not willing that we should be bound to admit the presentee, if the people do not make good their reasons. On the contrary*, we hold ourselves *free*, though not *obliged*, to exclude a presentee *because of the strength of the popular dislike, though not substantiated by express reasons*—a case which may occur, though not once in a hundred, I believe not once in a thousand times. The Act 1690 requires that reasons shall accompany the dissent, and to this we object not; and it empowers the Presbytery to judge, not on the *reasons* alone, but on the whole '*affair*.' With this, I think, (though your Lordship will now observe I am writing my individual opinion,) we will and ought to be satisfied. If your Lordship were alike satisfied, I do not see but we are thoroughly at one."

Finally, in paragraph *ninth*, after alluding to the advantage of personal communications over written correspondence, he observes—"As a proof of the insufficiency of formal documentary communications, I find that the reply of our Committee to an obnoxious newspaper paragraph has been misunderstood. We do not say in that reply, that we desire the Church to be *bound* in *every* instance, *as by a veto law*, to reject the presentee in respect of a dissent *irrespective of the grounds*; but that the Church *will not abandon the power of so rejecting him, if it seem to her right.* Short of this, *we shall be exposed to the same shameful treatment of our people which disgraced the ecclesiastical proceedings of last century*, with the *fresh* danger now of the *Court of Session* finding its way, through some opening or other, to the proper business of a Church not secured in the full exercise of her judicial and administrative powers in every case that comes before us."

Such, my Lord, are the sentiments in which, in your letter of the 6th February, your Lordship stated you "*almost entirely concurred*;" and such the understanding of your Lordship's views, in regard to which, as contradistinguished from the construction put upon them by the Committee, your Lordship there stated that Dr Chalmers had NOT *misapprehended* them. I ask your Lordship how you can reconcile this statement with the views now declared to have been always held by you, and lately embodied in your Bill, and how you can justify your accusation against the Committee, that they were unscrupulous and dishonest in their statement, that they had reason to expect a very different measure from that which you have offered them?

But, in the second place, your Lordship in this letter of the

6th February, after remarking that the Committee had "very unaccountably" misapprehended the import of your first communication, adds, "*But the matter is now explained.*" EXPLAINED! Then, surely there was no longer any *misapprehension* on the part of the Committee. Your Lordship had received their letter of the 4th, in which they state that they understand your Lordship to agree that Presbyteries should have power to reject a presentee, "*in consideration of the continued opposition of the people,*" however frivolous they might deem the reasons assigned for that opposition; and your Lordship, in this letter of the 6th, informs them that their previous unaccountable misapprehension is at an end—that "*the matter is now explained.*" Yet you have recently told us that it NEVER was your intention to allow a Presbytery to reject, simply in respect of the opposition of the people—that one main object of your Bill *is to prevent them from doing so*—that your present views *were exactly those held by you in the month of January*, and that *from your first communication with the Committee, down to the bringing in of your Bill, they had continued unchanged!*

Lastly, your Lordship here acquainted Dr Chalmers that you were not aware of the existence of "any material difference" in the "OBJECTS PROPOSED BY THE COMMITTEE" and those which your Lordship would "*be prepared to* SUPPORT." *Your Lordship's* "objects" are now plain enough, and you state that they were the same throughout. The *Committee's* "objects" were also very plain, and these had been explicitly stated to your Lordship in their letter of the 28th January, received by your Lordship within a *week* of your writing this letter of the 6th February. In their letter the Committee say—"The *special* OBJECT with which they have been charged is, to endeavour to have it secured that the Church Courts may, without severing the benefice from the cure, give effect, where they see cause, *to the opposition of the people, independent of their opinion of the reasons on which that opposition may be founded.*"

Your Lordship now tells us, that in your opinion this would be substantially the Veto, that your main object is to exclude the very power which the Committee required as indispensable, being an object directly opposite to that of the Committee, and that what your views are now, they were when you wrote this letter; and yet, your Lordship, in it, tells Dr Chalmers, that you are not aware of any material difference in the objects of the *Committee*, and in those which *you* should be prepared to support. My Lord, your Lordship has charged me with having committed a "breach of an honourable understanding;" I ask your Lordship, of what is *this* a breach?

After the explicit declaration of your Lordship's sentiments

in this letter of the 6th February, and the unqualified confirmation contained in it of the correctness of the construction put by the Committee, in their letter of the 4th, upon your Lordship's proposition, they could not suppose, without attributing to your Lordship what they were not prepared to believe to be possible—viz. deliberate and intentional deception—that you had no intention whatever of allowing a Presbytery to reject, in consideration of the opposition of the people, independent of their opinion of the reasons assigned for such opposition. Nor could they *then*, at least, have for one moment anticipated from your Lordship a measure which should exclude that power, and which, as they had told your Lordship, they would not even entertain or listen to for a moment. If, then, your Lordship's present Bill had been introduced in the month of February, what feeling could it have excited in the minds of the Committee but that of unbounded 'surprise;' and who could have pretended that they were at all unscrupulous, in saying that they had reason to expect a very different measure? But it seems that the *subsequent* correspondence was fitted to clear up all the delusion under which the Committee were then unhappily labouring, and to prepare them for receiving, without either disappointment or surprise, the measure which your Lordship actually brought forward in the month of May. Even if this were so, it would go but a little way, if indeed it tended at all, to justify the statements contained in the letters to which I have been adverting, considered along with the denial by your Lordship, that you had at any period of the correspondence changed your opinions. Let us attend, however, to the subsequent proceedings and communications, in the interval between this letter of the 6th of February, and the introduction of your Bill into Parliament on the 5th of May.

The Committee immediately proceeded to consider your Lordship's proposition, *as understood by them, and as explained by them in their letter of the 4th of February.* As so understood and explained, the proposition was to the effect, that the people should in all cases assign the reasons of their dissent—that there should be no imperative law of the Church like the Veto Act, *compelling* Presbyteries to give effect to the dissent in every case; but that, on the other hand, *they should have power*, judging in each individual case, *to give effect to the dissent of the people* when they saw cause so to do, *independent of the reasons assigned for that dissent*, and however frivolous they might deem these to be.

Of this scheme, Dr Chalmers certainly thought very favourably, even after the fullest consideration. He was con-

vinced that, by a series of righteous decisions for a few years, (as to the pronouncing of which he entertained no doubt,) a *common law* would be established, as generally effective as any statute law of the Church, and more perfect probably, through the result of experience, than our present Veto Act could be deemed; and it is an entire mistake to imagine that his willingness to accept this was a concession to your Lordship, or an accommodation to your wishes. On the other hand, the great body of the Committee, after the fullest and most favourable consideration, came to be satisfied that, even as explained and understood by them, the scheme was liable to the very strongest objections; and, as I informed your Lordship at our interview in March, the longer they considered it the more formidable did these appear to them to be. By not admitting the power of the Church to enforce by a general law uniformity of judgment on the part of her Presbyteries, it seriously discredited, if it did not encroach upon, the legislative power which the Church has always claimed. It appeared also liable to be characterised as an abandonment of the privileges of the *people*, in order to secure the power of the *office-bearers* of the Church; and, in its practical operation, the Committee apprehended that it would prove highly unsatisfactory. It would obviously be subject to great uncertainty, from the absence of a general rule to secure uniformity, and from the occurrence of conflicting decisions which it was almost certain would happen. It would tend to prevent the adjustment of disputed settlements, in consequence of the opposite expectations as to the ultimate decision to which this uncertainty would give rise. It would thus tend to augment the number of cases litigated before the Church Courts, to prolong vacancies, and keep up and increase any irritation which might occasionally exist; and also to wear out the people, and discourage and prevent opposition when it was most righteously called for; leading them, as in former days, to seek relief by abandoning the Church, rather than pass through the harassing and expensive ordeal of her courts. Besides all this, the arbitrary power with which the Church Courts would be vested, to reject or give effect to a dissent according to their discretion in each case, would expose them to the temptation of exercising it with a view to party objects, or under the influence of personal feelings, which might gradually undermine the principle of non-intrusion altogether, or render its operation only subservient to objects that could not possibly be commended. So that, so far from agreeing with Dr Chalmers, that, under such a measure, the decisions of five or six years would establish as good and effective a common law as if a general rule were to be maintained by

act of the Church, the Committee dreaded, on the contrary, a result as favourable to the *will* of the *patron*, and as unfavourable to that of the *people*, as took place in the last century, after the Church Courts first began to exercise a discretion in disregarding, when they saw cause, the wishes of the congregation. The Committee, therefore, by a great majority, resolved that they should, in the first instance, make every effort to secure the sanction of the Legislature to the maintenance of a general law of the Church, which should compel Presbyteries, in every case, to give effect to the dissent of the people, subject, it might be, to some modifications or conditions, in accordance always with this leading principle; and that they should not, at that stage of their negotiations at least, acquiesce in the measure understood to be proposed by your Lordship. Dr Chalmers, as already mentioned, took a different view from the Committee, and that difference of opinion is frankly expressed by him in his correspondence. Nay, more, as appears also from the correspondence, he had been impressed with the idea that the *Committee* had, in their communications with your Lordship and the other Members of Parliament associated with your Lordship, come to an understanding that they would *accept* of this, which he designates the *minimum* measure; and he intimates, in his letter of the 10th March,* that he at this time considered that the Committee were rising in their demands, and were not altogether keeping faith with your Lordship. I feel perfectly assured, however, that no one who reads the correspondence, and sees that all that we stated to your Lordship was, that we would give your Lordship's proposition, on our understanding of it, "an attentive and favourable consideration," while, to the other Members of Parliament, we observed, that it held out a "prospect" and "good hopes" of a settlement, can hesitate for a moment in deciding, that there was no sufficient ground for any such impression as Dr Chalmers for a time entertained, or for the inference as to our proceedings which he drew from it.

A further question, however, arose for the consideration of the Committee, viz. How far, *in the event* of a better measure being *hopeless*, they should not acquiesce in that inferior measure. The opinion of the Committee on this point was one which it certainly was not intended, and which it was not desirable, should be made public, until the period arrived when they should be called to act upon it. After, however, the communications made to your Lordship by Dr Chalmers, and your Lordship's publication of these, it seems to me expedient that the real state of the Committee's sentiments should be

* Correspondence, p. 34.

made known; and, in this view, those of my brethren of the Committee whom I have consulted concur. With reference to these, and the resolution of the Committee, Dr Chalmers has said in his letter to your Lordship, of date March 10th, "After two very anxious meetings on the 10th and the 13th of February, I got them (viz. the Committee) still to recognise the less as the *minimum* which they would take, if they failed in obtaining the *maximum*." Dr Chalmers here, in some measure, misapprehends the resolution come to by the Committee; and he does not state the grounds on which it proceeded.

Strongly objecting to the measure in question, the Committee still thought that, if passed, although it could not be acquiesced in by the Church as satisfactory, it *might* be *submitted* to; inasmuch as, in their opinion, it would not so violate the consciences of the office-bearers of the Church as to compel them, if enforced, to secede. Disapproving of it, however, as they did, they would not ask such a measure—nor would they have refrained from actually rejecting it, if proffered to them, unless, on the one hand, the attainment of a better measure were *hopeless*, and this one, on the other hand, were proposed with that concurrence of all parties *which should absolutely secure its being carried*. In these circumstances, but in these circumstances alone, did the Committee conceive that they would be warranted in not absolutely rejecting the measure referred to; and accordingly it was made a private instruction to the deputation at this time dispatched to London, that if the state of matters above mentioned occurred, but in that event only, they were "not to refuse" this measure, if so proffered. It will always be remembered, that the measure as understood by the Committee, was one that would leave to the Church Courts power in every particular case, though not under the compulsion of a general law, to reject a presentee, *simply in respect of the opposition of the people*, apart from their opinion of the reasons assigned for that opposition.

This was the state of matters when the Perthshire election took place; with reference to my conduct in regard to which, your Lordship was pleased to address to Dr Chalmers, in your letter of March 10th, as you have now thought proper to publish, the following observation:—"I cannot help observing, however, that, *after the communications* which had passed with myself and others, *it appears something like the breach of an honourable understanding*, that he should voluntarily have placed himself at the head of an opposition to such a declaration as that made by Mr Home Drummond, on the ground of its insufficiency."

That *Dr Chalmers* should have "sympathized" with this

remark of your Lordship, as in his letter of the 12th March,* he tells you he did, I can understand, though I do not think he was warranted in doing so. He *believed* that your Lordship's proposition came up to Mr Home Drummond's declaration; and he was under the erroneous impression, that the Committee had come to some understanding with your Lordship that they would at once accept that. I have already shown that all the Committee did, was to agree to give to your Lordship's proposition "an attentive and favourable consideration," which they did; and that ultimately their resolution went no farther than this, that, in certain possible circumstances, which had not then, and have not yet occurred, and which probably never will occur, they were "not to refuse" it. But what was there in this—assuming that your Lordship had agreed to give us this measure, without which there obviously could have been no understanding at all—to prevent me or any other member of the Committee from exerting ourselves to the utmost, in our individual capacities, as well as in our capacity of members of Committee, to attain that better measure which we infinitely preferred, and which, under our appointment, we were bound first of all to attempt? And if this object were to be attained by preventing the return of a candidate who would not agree to support the better measure, what was there, in any thing that had passed, to prevent me from doing so? I saw then and see now nothing to have excluded me from acting as I did, even on the supposition, on which Dr Chalmers proceeded, that your Lordship's proposition was one which the Committee and your Lordship understood in the same sense, so as to have afforded a *foundation* at least for an understanding between us. I should still have maintained that our understanding went no farther than to consider attentively and favourably that proposition, which we fully did, and then, in certain events, not to reject it as a last resort—an understanding which could never prevent me from doing every thing in my power to secure something better.

The only regret I feel in regard to my proceedings in Perthshire, which consisted in giving my advice and aid when solicited by parties connected with the county, is, that the effort then made was tried under such adverse circumstances, and was so unsuccessful. The result has unquestionably diminished my confidence in the intensity of the feeling in favour of Non-Intrusion among the yeomanry of Scotland, though there can scarcely again occur circumstances so peculiarly calculated to justify to Non-Intrusionists their preference of a candidate

* Correspondence, p. 43.

like Mr Home Drummond;—and among these circumstances, the most important were, that on the one hand, although the Government candidate gave the most satisfactory declarations of his own sentiments, the Government itself had kept entirely aloof, and was at the time rather deemed unfriendly than otherwise; while on the other hand, Mr Home Drummond, who went a great way in his declarations, was understood to speak the sentiments of his party, with the leaders of which in London he openly professed to consult. It now appears how little reliance can be placed on any such understanding, and how determinedly hostile the party to which Mr Drummond belongs, is to any measure that can possibly admit of the popular voice in the settlement of ministers. Your Lordship is of opinion that if I had succeeded, our "cause in Parliament would have been wellnigh hopeless," in consequence of "the feelings of indignation" on the part of the Conservatives to which it would have given rise. What *worse* they could have done to us than bringing in and supporting your Lordship's bill, I do not know. You there seek to establish the scheme of our opponents in the Church, which was set up against the Veto in 1834, and then defeated. You seek not merely to do away the Veto Act, which *compels* Presbyteries *in every case to give effect to the will of people*, but to *force* them *in every case to disregard the will of the people*, and to give the permanence and authority of a legislative act to that decision of the Court which is the cause of all our troubles, and for relief against which alone our Committee was appointed. Such being the fruit of the "placable" spirit arising from *success*, Non-Intrusionists may possibly see the wisdom of venturing to try what might be the result of *those* feelings that arise from *defeat*.

So much for *my* conduct in the matter, in regard to which your Lordship has charged me with the breach of an honourable understanding; and now, my Lord, a word or two as to *your own*, in *making such a charge*.

Dr Chalmers, as I have said, *might* have made such a charge, and only have evinced hastiness and mistake in adopting impressions on insufficient grounds. *Your Lordship* had no pretence of warrant for making it. To admit of a "breach" there must have been a *mutual* "understanding." Now Dr Chalmers *believed* that there *was* such a mutual understanding; but your Lordship *knew* there was *no* understanding of any kind. Doubtless there was much *misunderstanding*—whether "honourable" or not I do not say,—but holding the views which your Lordship now professes to have held at the time of writing this letter, your Lordship must have been conscious that there *was* no understanding—that there *could be*

no understanding between us. If there were, I demand of your Lordship what that understanding was? Was it that we should accept a measure such as your Lordship's present Bill, *intended to prevent* a Presbytery from rejecting a presentee, "simply in respect of the circumstance that the congregation continued to oppose the settlement?" We had told your Lordship in our letter of the 28th January, that such a proposition we "*could not listen to for a moment.*" Was it that your Lordship should give, and we should accept a measure whereby the Church Courts should have power, judging in each particular case, "to give effect when they see cause to the opposition of the people *independent of their opinion of the reasons on which that opposition may be founded?*" Your Lordship informs us now, that in your opinion this is substantially the Veto—that it is a "main object" of your Bill *to exclude such a power*, and that it was *never* your intention to enable Presbyteries to exercise it. Was it that we were mutually to agree to the measure which Mr Home Drummond had "no hesitation" in declaring he would support, viz. "An Act of Parliament to secure to the Church the power, free from all interference of the Civil Courts, of making a general law for empowering Church Courts to reject all presentees who may be UNACCEPTABLE to congregations, on *any* grounds that *they may assign*—such as, *that a majority of the congregation* SHALL SIMPLY DECLARE THEIR CONSCIENTIOUS CONVICTION *that he is not fitted to edify them, without requiring any farther reason?*" This is more nearly akin to the Veto than the other, wanting only the *legislative* character which would give it *universal* operation in every case; and it would, according to your now declared views, have been still more strongly repudiated by your Lordship. Where then was the understanding between us which was or could be broken? Knowing our views, which had been clearly expressed, and of course knowing your own, which as now plainly exhibited, but with the declaration that they have been throughout the same, were diametrically opposed to ours, your Lordship knew well, whatever others might erroneously have fancied, *that there was and could be no understanding between us*, and yet you hesitated not to accuse me of a breach of an understanding which *you* at least knew had no existence whatever.

The making of this charge, however, necessarily implied an assertion that there *was* an understanding; and your Lordship's observation as to my conduct, thus comes to have a bearing on the belief created by your communications in Dr Chalmers's mind, as to the measure which he was warranted to expect from your Lordship. Your Lordship here assures him that there was an understanding between the Committee

and your Lordship; and, of course, that there was *some* measure which, on the one hand, your Lordship was prepared to concede, which, on the other, you understood the Committee were willing to accept. Now, at all events, this never could be a measure "implying that the Church should *not* have power to reject, simply in respect of the circumstance that the congregation continued to oppose the settlement;"—for this they had expressly told your Lordship they would not listen to for a moment. But as your Lordship's Bill implies this, the assurance of your Lordship necessarily *confirmed* Dr Chalmers's expectation of some measure *different from that Bill*, and could only tend to increase the "surprise" with which it was received.

The other correspondence all tends the same way. There are, doubtless, expressions occasionally met with which will be referred to by your Lordship and your friends, as showing that you did entertain views not in accordance with the measure expected by Dr Chalmers; but these were not at all calculated to do away the clear declarations in the previous letters; and, above all, these two facts remain unexplained—viz. (1st.) that knowing that the Committee utterly repudiated a measure such as your present bill, your Lordship, while resolved to bring in no other, should have continued the correspondence at all; and (2d.) that, whatever expressions may have dropped from your Lordship, you could not but perceive that Dr Chalmers was never led for a moment to doubt that your Lordship contemplated a measure coming up to what he called the *minimum*, which your Lordship has now imperatively rejected; and that, *till after the Bill had been brought in*, you never undeceived him, and in so many words told him that you would not adopt his measure.

Even looking, however, to those of the expressions referred to, which will be most strongly founded on by your Lordship, there is nothing, taking them with the context, calculated to remove the previously existing impressions created by the preceding communications. The letter of the 22d February is the most important for your Lordship's defence. Had I seen that letter, which—being frequently absent during the whole spring—I did not, it might have *revived* my original suspicions, as indeed these were revived by the report of a conversation with your Lordship on that same 22d February. But with those who had never entertained such suspicions, I am not surprised that it should not have engendered them. The remarks which, taken by themselves, appear hostile to allowing effect to the mere dissent of the people, seem, on comparison with the context, to apply only to

such rejection *under the compulsory obligation of an unbending statutory rule*, like the Veto Act, *enforcing* rejection in *every* case; in contradistinction to such rejection in the exercise of *a free discretion* on the part of Presbyteries, *unfettered* by any general rule or law *compelling* rejection in *all* cases. It is to this *absolute compulsory* rejection, that, on a fair construction of the passages, your Lordship seems to refer: and to this, unquestionably, your Lordship throughout clearly and unequivocally evinced a determined hostility. But there is nothing in any of the letters to do away the effect of your Lordship's previous acquiescence in *the power of Presbyteries*, freely determining in each particular case, *to reject, in respect of the opposition of the people, independent of the reasons assigned for that opposition.* Thus, take the two following passages in the letter of the 22d February—the strongest possibly that can be adduced from the whole correspondence in your Lordship's defence:—"I take for granted, however, that they will proceed on the recognised illegality of the *Veto Act*, and will vindicate the authority of the House of Lords. I am quite ready, and I hope the Government are ready, to assent to the principle of Non-Intrusion, carried to the utmost extent which can be consistent with reason and common sense; but I hope they are determined to resist the establishment of an *arbitrary* and *capricious* veto, if attempted under any new form. I will candidly confess to you, that I should not be satisfied unless this be prevented in some mode or other; and although I am quite ready to admit that Presbyteries, acting judicially, and on consideration of the whole case, *should have ample power to reject presentees*, I cannot agree that the *General Assembly* shall be at liberty to *issue such instructions to Presbyteries as will* COMPEL them to reject presentees against whom a majority of heads of families may have objected, without having any regard whatever to the nature of the objections.

"I should be glad to understand a little more clearly what you mean by Presbyteries acting *judicially*. I presume it must be deciding *as judges* in the case. If this be so, surely the merits *of the whole question* before them must be weighed and examined, and effect given to the objections of the people, according to their own consciences and their sense of duty. But if the General Assembly *issue such instructions as I have supposed*, how can Presbyteries be said to act *judicially*, or indeed any otherwise than *ministerially?*"

Here the thing objected to is not rejection in respect simply of the people's dissent, when the Presbytery may judge that to be for edification, but rejection *under the compulsitor of a general law*, which would deprive Presbyteries of all discretion, and

force them to act, as your Lordship says, ministerially, not judicially. There was nothing here, therefore, irreconcilable with the previously received opinion of your Lordship's sentiments; and the fact unquestionably is, as your Lordship must have seen from the whole tenor of his correspondence, that Dr Chalmers never entertained the shadow of a doubt that your Lordship's measure was to be in accordance with his own views as to the proper extent of the judicial power of the Church in this matter, till he was undeceived by the sight of the Bill itself, and by your Lordship's subsequent correspondence.

But, indeed, the very letter* in which your Lordship intimated your intention to bring in your Bill, and which was written "in order that *no misapprehension* may exist with respect to the principle of the measure which I have in contemplation," absolutely excluded any such doubt on his part. This was written on the 4th of April, when you had resolved to abandon the idea, for a short time entertained, of giving effect to the *Call*, and in it your Lordship thus expressed yourself:—"My chief object in writing to you at present, is to explain to you that the principle of my measure will be founded on the recognition of the *judicial powers of the Church Courts* in the matters in question—*very much in accordance with your own views* of that which, though not the most desirable, might be regarded as the most practicable solution of the existing difficulties."

Now, your Lordship could be under no sort of misapprehension as to Dr Chalmers's "own views" in regard to this matter. He had early and repeatedly explained what *he* understood by a recognition of the "judicial powers" of the Church Courts, and described specifically the *minimum* measure, "which, though not the most desirable, might be regarded as the most practicable solution of existing difficulties." Let me recall to your Lordship's remembrance one of Dr Chalmers's explanations, and it is merely a specimen of the whole. In his letter of the 27th January, alluding to the conference with your Lordship and other members of Parliament, he states that, at the time, he had the feeling that it was unnecessary in some members of the committee "to specify the particular case of a Presbytery NOT *being satisfied* with the reasons produced, and *yet sustaining the dissent*, when satisfied of its proceeding from a real and honestly expressed dislike on the part of the people; thinking as I did"—mark, my Lord, his reason for deeming this specification unnecessary—"that the fulness of the *judicial power* intrusted to the presbytery *comprehended* THIS *and every other case that could possibly occur or be imagined.*"

* Correspondence, p. 45.

Such is, throughout the correspondence, the definition he gives of the "judicial power" which he sought to have recognized, and which he fancied the most practicable, though not the most desirable; his "*optimism*," as he calls it, being that the power of the Church should be recognized, to give effect to her own views as to non-intrusion *legislatively* as well as *judicially*. But, in truth, his views on this subject were quite notorious, and were perfectly familiar to your Lordship, with whom, personally, as well as by letter, he had had the most ample discussion of the whole question.

Then knowing perfectly his views of the "judicial powers" of the Church Courts, your Lordship here tells him that your intended measure would be founded on the recognition of these "*judicial powers, very much in accordance with his own views*," &c. Now, I ask your Lordship, was it possible for Dr Chalmers to imagine that the Bill contemplated by your Lordship, when you thus wrote, should *fetter* the judicial powers of the Presbytery in this most essential particular, of giving effect to the conscientious dissent of the people, when they saw it for edification to do so,—this being the *only* matter in which her powers had been denied, and with reference to which she was seeking a legislative remedy? So far from being "very much in accordance" with Dr Chalmers' views, your Lordship's Bill is in *direct opposition* to them. It was impossible, therefore, that after this letter he could have received it with any other feelings than those of "disappointment and surprise;" and had there been nothing else than this letter to refer to, it would have afforded of itself sufficient warrant for the statement, that he had reason to expect a very different measure from your present Bill.

But your Lordship corresponded with other parties than Dr Chalmers, and parties whose inferences were not liable to be biassed by that overweening confidence in your Lordship, and preconceived belief that it was from you alone he could expect the measure so anxiously desired by him, which appear in all his communications. Your Lordship also communicated with me, both directly and indirectly; and notwithstanding my original doubts, and that I had no *desire* for the *minimum* measure which would have satisfied Dr Chalmers, unquestionably *his* convictions, as to the nature of the measure we were to look for from your Lordship, could not be stronger than mine ultimately were, nor could his surprise be greater at that which you actually brought forward.

My first communication with your Lordship was through my friend the Rev. Mr Buchanan of Glasgow, with whom your Lordship had the freest intercourse, and in whom you have expressed the greatest confidence. Mr Buchanan, though

not a member of the Committee, had been conjoined with me in a deputation sent to London by the Committee in February. On the Government having postponed giving us an answer till the middle of March, I returned to Scotland, but Mr Buchanan remained in London, and had, in the interval, frequent interviews with your Lordship. At one of these, on the 22d February, being the very day on which your Lordship's letter so much founded on by your friends was written, he stated to your Lordship a proposition of the Committee, that they might accede to *reasons* of dissent being given in by the people in all cases, provided these were not to be adjudicated upon, but only made the subject of dealing with the people. His full account of that interview, written on the same day, 22d February, I give; for after the disclosure of private correspondence now made, there seems no occasion for any delicacy or restraint. It is as follows:—"I have just been with Lord Aberdeen, and am glad to find he decidedly condemns the interdict.* He is, you know, guarded in his words; but he signified very strongly his astonishment at such a stretch of power, and spoke very strongly about it.

"I laid before him the Committee's proposal about the reasons not being adjudicated on. He says that it is still the Veto, and said no power on earth would induce him to sanction the Veto. Afterwards he spoke more moderately, and said he hoped to see me soon again."

This communication of course revived my former suspicions, which I admit were more easily excited than those of the rest of the Committee; and, in reply, (February 24,) I wrote to Mr Buchanan as follows:—"Lord Aberdeen and the Committee are obviously as far from understanding each other as ever: whether he will ever come to understand us, I don't know; but I fear we shall never understand him, unless by adhering to the *original* impression *that he will insist on the Presbytery taking the responsibility of* SUSTAINING THE REASONABLENESS *of the dissent, and that, I trust, we shall never accede to.*"

Now this passage of mine *was read by Mr Buchanan to your Lordship* on the 26th of February, and on that same day he transmitted to me the following account of his conversation with your Lordship in regard to it:—"Since writing my first letter I have had a long and searching conversation with Lord Aberdeen. You *have* misunderstood him, and I shall explain how. *I read to him this sentence of your letter of Monday, in which you understand him as insisting on the Presbytery taking the responsibility of sustaining the reasonableness of the dissent.* He said No; not necessarily—that is, as it may happen. If

* This refers to the interdict which had just then been granted by the Court of Session in the Strathbogie case.

they *think* the dissent reasonable, they may sustain it as such. But *though they may* NOT *think the dissent reasonable*, abstractly considered, yet they may think that in all the circumstances of the case, *it is not for edification that the settlement should go on*—and therefore FOR THAT REASON OF THEIR OWN, *refuse to proceed.*

"You will see, therefore, that he does not mean to fasten on the Presbytery the responsibility of sustaining the reasonableness of the dissent.

"*I hope there will, therefore, be no longer any misunderstanding on this point.*"

Mr Buchanan at the same time informed me that your Lordship was still "stout" against the "ABSOLUTE" Veto, which entirely accords with the interpretation put by me above, on your letter written on the 22d, a few days before this conversation took place—that the objection to the Veto there stated by you was an objection to a Veto rendered "absolute" by a *general law* compelling its enforcement in all cases, contradistinguished from the *discretionary power* in the Presbytery to give or refuse effect to the dissent of the people, as in the circumstances of each case they might conscientiously think right.

Now, my Lord, although I have the most perfect confidence in Mr Buchanan's accuracy, I do not refer to the terms of his letter to me as being equivalent to a written statement from yourself; but I appeal to it as at least proving this, that your Lordship's conversation produced on his mind exactly the same impression of your Lordship's intentions, as your correspondence did on that of the Committee.

The next communication which I had with your Lordship was at a personal interview along with Mr Buchanan, and in presence of Mr Colquhoun, the member for Kilmarnock. This took place on Monday the 30th March. Mr Buchanan and I, as the Committee's deputation, had that very day received the final answer of Government, given in the Committee's report, viz. that they had resolved "to postpone the introduction of a legislative measure till a more favourable opportunity," and we had thereupon applied ourselves to your Lordship, as the leading individual of the Conservative party who had taken an interest in this question. I availed myself of that opportunity to explain to your Lordship the nature of the Committee's objections to the scheme of the Presbyterial Veto which had formed the subject of our previous correspondence, and to which I assured your Lordship that the Committee had given, as they had promised, an attentive and favourable consideration. This I did pretty fully, and I added that our repugnance to it would be increased by what

I had ascertained while in London, viz. that so many parties were opposed to it as to create doubts of the possibility of such a measure being carried. I have no record of the particulars of my statement of these objections, though I doubt not it embraced all those mentioned above (p. 18); but of this I am perfectly certain, that I could not possibly have stated our objections without your Lordship clearly seeing that I was talking of a measure which would *permit Presbyteries*, though acting judicially, *to reject, independently of their opinion of the reasons assigned*—which measure alone the Committee had agreed to take into consideration—and not of a measure like your present Bill, which we had already told your Lordship we could not listen to for a moment. Although your Lordship must have clearly perceived this, you never dropt the slightest hint that I was talking of a measure which you had at no time contemplated; and so far from giving us reason to suspect that your Lordship's views were *less* liberal than we had imagined, the proposition then made to us by your Lordship was one much *more* liberal than the Veto itself, or than we had at one period even ventured to hope for. And here I come to the very curious interlude in the negotiation, which regarded the adoption of the *Call* as the basis of a measure for settling subsisting differences. I quote the account of the conversation with your Lordship as to this matter, from the report given by myself to the Committee in Edinburgh, on the Friday following (April 3,) confirmed next day by the statement of Mr Buchanan on the same point, and recorded at the time in their minute-book.

"The conversation then passed to a proposition previously mentioned by his Lordship privately to Mr Buchanan, of giving legal effect to the call, *by requiring the call to every presentee to be subscribed by the majority of those qualified persons who should assemble in congregation at the moderating therein*, and Lord Aberdeen expressed his own opinion *in favour of including all male communicants*, whether heads of families or not, among the qualified persons. His Lordship stated that such a measure appeared to him to be much less injurious to the presentee than the Veto, and in certain views, not more unfavourable to the patron; and on the whole, stated himself very favourably inclined to bringing in a measure based on a scheme of this kind. He declined *committing* himself, however, absolutely to do so, and, stated that he had not consulted his friends regarding it. He mentioned at the same time, that he was aware some of them would prefer that a smaller proportion than a majority should be held to constitute a sufficient call; but his Lordship observed *that he could see no principle for this*,—that mankind were governed in all things *by majorities*, and that the adoption of any other proportion *was*

arbitrary and without good grounds to warrant it. His Lordship farther stated, *that it was not his intention nor that of the Conservative party* to move in the matter, or bring in any measure into Parliament, *unless it were approved of by the Committee, and unless they were assured of being backed by the support of the Church;* and he enquired what course the Committee would probably pursue. To this it was answered, that if a measure satisfactory to them were introduced by his Lordship, they would give it their cordial support, while, if the Conservative party could not agree to any measure which they approved of, *they would probably endeavour to induce some independent member of Parliament not tied to either party, and friendly to their cause, to bring in such a bill as should express their views;* but that they had no doubt whatever that the Church and Committee would entirely approve and cordially support a measure founded on the call, such as that which his Lordship had suggested. It was added that Mr Dunlop would immediately proceed to Scotland to lay this suggestion before the Committee and obtain their judgment upon it. Altogether, the deputation had the greatest reason to be satisfied with their interview, whether as regarded the kindness of the reception given to them, or the favourable sentiments expressed by Lord Aberdeen."

Immediately after this interview the deputation left London for Scotland, Mr Buchanan setting off that same evening, and I next morning. Your Lordship had now got the affair into your own hands, *and in an instant your whole course of procedure was changed.* It was on Monday (30th of March) that your Lordship stated to us the project of the call, and the intention of your party not to move without the sanction of the Committee and the support of the Church. Observe, my Lord, I do not refer to this as a *pledge*, but simply as a statement of the *views and intentions* of yourself and your party *on Monday the 30th of March.* On Tuesday, *the very next day*, your Lordship resolved to bring in your present bill, based on a proposition *which you knew the Committee would not listen to for a moment.** That *same night* you gave notice in the House of Lords of your intention to bring it in immediately after Easter, *absolutely, and without any regard to the opinion of the Committee or the co-operation of the Church.* On the Satur-

* I have lately ascertained, on authority upon which the firmest reliance may be placed, that Lord Aberdeen's Bill as now printed in the appendix to his "Correspondence," with the exception of an addition at the end, was in existence, and was shown to a leading and influential individual of Voluntary principles for the purpose of obtaining his opinion upon it, *on the 25th of March,* five days before the interview with Lord Aberdeen mentioned above. I do not suppose that his Lordship had then seen it; but the only alternative supposition is, that it is not a measure framed by himself but was taken up by him from others.

day (4th April) you wrote the letter formerly referred to, intimating your purpose of bringing in a measure founded on a recognition of the judicial powers of the Church, *very much in accordance with Dr Chalmers's own views*, adding—"I am desirous of stating this without delay, in consequence of some communications with Mr Buchanan and Mr Dunlop before their departure from London. I had mentioned to them the project of an enactment by which the call should be rendered more effectual, and thus accomplishing the object desired, by obtaining an *assent* on the part of the people. For some time I regarded this project with favour, *and was very desirous of carrying it into effect.* Further examination and reflection, however," (viz. during the night between Monday and Tuesday,) "have convinced me that it would be *quite impracticable*, and I have therefore *abandoned it altogether*." And finally, your Lordship, in this letter, evinced an intention, more explicitly announced to Mr Hamilton on his arrival in London the following week, and by him immediately communicated, as follows, that you had "given up all intention of asking the Committee to make itself responsible for your measure, *or making your movement depend on your being backed by the authority and support of the Church.*"

On this same 4th April on which your Lordship wrote your letter, the Committee had, at a meeting in Edinburgh, adopted a resolution, by which they expressed their "cordial approval" of your Lordship's project, and their "earnest hope that you would introduce a measure founded on it into Parliament"—directed Mr Buchanan to write to your Lordship, communicating their views and wishes, and requested Mr Hamilton to proceed immediately to London, and Mr Buchanan and myself to follow him as soon as possible, in order to have such a measure arranged.*

* In the Committee's Report there occurs the following sentence:—"They were also given to understand that it was not the intention of the Members alluded to, to introduce any measure into Parliament, unless they should be supported by the sanction and concurrence of the Committee." To this, in the Appendix to the Correspondence (p. 79), Lord Aberdeen subjoins a note in these terms:—"*Lord Aberdeen does not know to what this alludes. He received no sanction of any plan, having proposed none. No approbation was transmitted to him*, and he is aware of no such request. He wrote to Dr Chalmers on the 4th of April, the conversation referred to having taken place on the 30th March; and he received no communication *before* his letter of the 4th April arrived in Scotland." This last particular is correctly stated, as Mr Buchanan did not, I believe, write the letter, directed by the Committee as above mentioned, till Monday the 6th; but what bearing *this* has on the point I am at a loss to discover. His Lordship, however, states, that he "received no sanction of any plan," and adds, "having proposed none." His Lordship is critical. In his letter of 4th April, he states that he had "*mentioned*" to us a "*project of an enactment*" to be based on the call, which, for some time, he says, he "was very desirous of carrying into effect."

Mr Hamilton set off for London on the Tuesday following. The arrival of your Lordship's letter of the 4th April stopped me. *No one* doubted that the measure intended by your Lordship was to be in full accordance with what Dr Chalmers desired as the *minimum*, giving full power to reject, irrespective of the Presbytery's judgment on the grounds of dissent; and Dr Chalmers strongly urged the Committee to acquiesce in and sanction it. The Committee, retaining their objections to it, which have been already detailed, would not consent to this. Willing, however, to avoid, or at least postpone a division, they availed themselves of the circumstance that your Lordship appeared to decline any correspondence with them as a Committee, on the terms of your Bill, as justifying them in making no communication to your Lordship on the subject. The Committee accordingly resolved "that they were not called upon to have any communication with Lord Aberdeen on the subject of his proposed measure, but agreed to request Mr Buchanan and Mr Dunlop to join Mr Hamilton in London—to watch over matters, and endeavour to bring his Lordship back to the measure of the call."

They at the same time adopted the resolution, immediately carried into effect, of publishing the two measures which *they* desired to have passed, the one based on the Veto, and the other on the Call, and which are printed in their Report to the Assembly.

I forthwith proceeded to London, and in the interval between my arrival and that of Mr Buchanan, I had an interchange of letters with your Lordship, which might certainly have called out a declaration of your real intentions in regard to the nature of your proposed measure. The time, however, it seems had not yet come, and instead of undeceiving us, your Lordship only confirmed and perpetuated our subsisting belief. I had learned from Mr Hamilton, who had seen your Lordship more than once before I joined him in London, that you seemed to expect that the Committee would not object to your proposed measure, and I deemed it necessary to remind your Lordship of the former

"*Mentioning*" a "*project*," it seems, is not "*proposing*" a "*plan*." So having only "mentioned" a "project," and not "proposed" a "plan," he could of course "receive no sanction of any *plan*." I presume he does not intend to deny that he received a sanction to his "*project* of an *enactment*;" or, if he did not, it must have been the fault of the *Post-office*, for Mr Buchanan undoubtedly "transmitted to him" the "approbation" of the Committee, in a letter written on the 6th of April, by their directions, above stated. The detail of the conversation at the meeting of 30th March will probably refresh Lord Aberdeen's memory, and enable him to understand *to what the Report alludes* in the passage above quoted.

communications with the Committee regarding it. I accordingly wrote the letter of April 21, which is published in the "Correspondence,"* and which could leave no earthly doubt on your Lordship's mind of what sort of measure it was that the Committee understood your Lordship was to bring forward. I referred to the proposition on which I understood it was to be founded, as explained in our letter of February 4, *quoting the words of the letter*, thus:—"In a letter of date February 4, written by direction of the Committee, I stated that, understanding you to agree "that the Church Courts should have the power to reject a presentee, *in consideration of the continued opposition of the people, although they should think the reasons assigned for that opposition as frivolous as that in the case supposed by your Lordship—his hair being red*—your proposal, the principal feature of which was, that the Church Courts were to decide each case, free from the restraint of an unbending rule, would receive from the Committee 'an attentive and favourable consideration.'" I then referred to my having, at our interview on the 30th of March, stated the objections the Committee had to such a measure, and further stated, that I was not aware of any grounds on which you could continue to rely on the Committee not objecting to your contemplated measure, "of which the principle, as stated in your letter to Dr Chalmers, is the same with that of your former proposition."

Your Lordship saw here beyond all possibility of mistake, that the Bill intended by your Lordship was understood to be in accordance with the interpretation put upon your former proposition in our letter of February 4th. If, then, your intervening letters to Dr Chalmers had been intended and calculated to do away our impressions as there expressed, how was it, my Lord, that you did not instantly inform me that we were anticipating a measure which you had not the slightest intention of bringing forward, and all idea of which should have been done away by your letters to Dr Chalmers, founded on by your friends as fully calculated to have had that effect? Such would have been the "perfectly frank" course of conduct for which your Lordship claims credit. But you acted far differently. In your answer of the 24th April,† you not only do not correct my existing impression, but you confirm it. You observe, "From a personal interview with the Non-intrusion Committee, and from their subsequent communications with myself and other Members of Parliament, I certainly felt justified in believing that they were disposed

* Page 48.

† Correspondence, p. 49.

to *view with favour* the principle of the measure *which I intended to introduce into Parliament;*" though there were circumstances, you went on to remark, that might render it possible that you might not receive "the support and concurrence of the Committee, at least as a body." Now, *at the very time* when you penned this letter, *your intended bill was in preparation, and the draft of it probably written*—a bill *inherently importing, and designed permanently to secure*, "that the Church should NOT have power to reject simply in respect of the circumstance that the congregation continued to oppose the settlement,"—*being the identical measure which the Committee, in the very communications referred to by your Lordship, in this same letter, had declared that they* "COULD NOT LISTEN TO FOR A MOMENT." How, then, could I have imagined that your intended measure, which your Lordship referred to as one that had been received "*with favour*" by the Committee, was that which had been rejected with "INSUPERABLE" *aversion?* And how could *you*, my Lord—how could *you* represent your measure to me as that which we had been disposed to view with favour, when you knew that it was to be that which we had refused "even to entertain?"

The only answer to this question is to be found in the fact already alluded to, that the time for disclosure had not, in your Lordship's opinion, even yet come. Secrecy was to be maintained a little longer. We might yet have anticipated your Lordship, by carrying into effect the plan mentioned to you in my interview on the 30th March, of getting a third party to bring in a bill of our own. Accordingly, on the arrival in town of Mr Buchanan, who, having arranged by letter an interview with your Lordship, saw you before I saw him, I learned positively from him, what from Mr Hamilton I had been led to expect, that your Lordship declined conferring with us *as a deputation from the Committee*, and in this way holding intercourse with the Committee at all as to your Bill; and, further, that while you were willing to confer with Mr Buchanan and Mr Hamilton on the subject of it, and had appointed a meeting with them to submit to them the draft of it, you would *only* communicate with them *as private individuals*, and under the *seal of such strict confidence*, that, as Mr Buchanan informed me, *he would not be able to acquaint me* (*I being the* ONLY *one of the deputation who was a member of the Committee*) *with the contents of the Bill, or to consult me regarding it.* That this arose from no *personal* objection in consequence of my proceedings in Perthshire, is obvious, from our interview of the 30th of March having occurred after the election in that county, on which occasion I met with what I should think was, from your Lordship, an *unusually* gracious reception;

but from whatever cause it arose, I saw that it was right that I should, as I did, immediately leave London—thus breaking up the deputation, and preventing, as I supposed, the possibility of its being pretended that your Bill had been submitted to the representatives of the Committee—inasmuch as, even on my understanding of what it was to be, it was a measure of which *the Committee* could not approve.

Now, my Lord, I have no right to complain, and I do not complain, that your Lordship did not choose to confer with the Committee's deputation, or with the members of it as such, or with myself individually; but I do complain, and I complain, most seriously, and with unquestionable right, that your Lordship having declined to confer with the deputation as such, and having only consented to communicate with Mr Buchanan and Mr Hamilton, confidentially, as private individuals—thus, by your own special act, relieving them of the character and responsibility of representatives of the Committee, enabling them to state simply their private views, and excluding them from doing a single thing on behalf of the Committee—you should yet, in the publication recently made by you, *hold these gentlemen out to the world as having acted in their conferences with your Lordship* in regard to your Bill, *not in the character which alone they bore in these conferences*—that of private individuals—*but in that of the deputation of the Committee*. This, however, your Lordship has done in the following heading which you have prefixed to the Copy of the Bill in the "Correspondence" published by your Lordship: (p. 75.) "Copy of Lord Aberdeen's proposed Bill, *as shown to the* DEPUTATION OF THE COMMITTEE *in London*, on Tuesday 28th April, with the alterations *proposed by them* on Thursday the 30th, for Lord Aberdeen's consideration." The representatives of the Committee, and of course through them, the Committee, are here held out as having been made acquainted with the terms of the Bill on the 28th of April: and the suggestions proposed are necessarily represented as flowing from the Committee, or, at least, as in accordance with their instructions; contrary, in both respects, to what your Lordship knows to have been the fact.

Finally, on the 5th of May, after having resisted all the attempts made by Mr Hamilton and Mr Buchanan to have at least the *minimum* measure of Dr Chalmers given effect to, the truth was at last disclosed. The Bill was brought in, and obviously with a hope—from a strange misconception of his true character—that Dr Chalmers might be brought to acquiesce, and so secure, as you believed, its success in the Assembly, you "could not retire to rest," without writing to him your flattering, I might say, cringing letter of that date, in

which you prostrate yourself on the ground before him—tell him that "the peace of the Church is in *his* hands"—that "though, from the *accident* of birth and social position," *you* had the means of "*proposing*" the measure to the Legislature, it would depend on *him* "whether it was to receive *life* and *efficacy*;" and after inserting still more flattery in a *prayer*, you woo his ears with the pleasing quotation—

"Semper honos, nomenque tuum, laudesque manebunt."

Knowing wherein alone true honour lies, and how to win for himself an undying name, he whose praise is and will abide in the churches of God, was not to be turned from the path of duty, by the flatteries of men whose factitious and fancied greatness lasts but for a day, and is forgotten for ever.

Obviously irritated at your failure, and stung by the truth of the statement of the Committee, and by the repetition of it by Dr Chalmers, that they had reason to expect a very different measure, your Lordship has given to the world the unreserved private letters of Dr Chalmers, in which, in the fullness of his overweening confidence, he gives expression to remarks meant for no eye but your own, and of no bearing whatever, in regard to the question now raised; and from your vantage-ground in Parliament you have sent forth, over, not merely this country, but the whole British empire throughout the world, the deliberate charge against Dr Chalmers and the Committee of being unscrupulous and dishonest in their statements.

After the detail I have given, I feel that I do not need to say a word more in their defence; but I *have* a word to say in regard to the mode in which you took occasion to bring forward this accusation.

In your speech on moving the second reading of your Bill on the 16th instant, your Lordship referred to the Report given in by the Committee to the General Assembly; and after specially mentioning the statement therein contained, that "the Government" had resolved to postpone the introduction of a legislative measure, because they "could not hope to carry a measure that would prove satisfactory, and, in particular, to pass it through the House of Lords," (an opinion which recent events fully justify,) your Lordship, imputing this statement to *Lord Melbourne individually*, complained of it, and harped on it for some little time. At last Lord Melbourne interrupted your Lordship, and asked, "Does the Re-

port mention *me?*" To which your Lordship replied, "No; the term is the 'Government;' but my noble friend must excuse me if I look to him as the Government. At all events, *I am certain that the Report refers to the noble Viscount.*"

This brought out from Lord Melbourne the positive disclaimer—"I did not say any thing of the kind." Whereupon, after mentioning another statement in the Report, as to something which had passed at an interview with Lord Melbourne in July 1839, which his Lordship said *he did not remember*, but as to the correctness of which I have no doubt whatever, your Lordship observed as follows:—"I will fairly tell the noble Viscount, that *I do not believe the statement contained in the Report.* In the report of the communications which the Committee have had with *me*, they have been *so unscrupulous in their statements*, that it is probable they have not dealt more *honestly* with the noble Viscount."

No one can fail to perceive the effect as well as the plausibility given to this charge against the Committee, by your Lordship having, first of all, obtained from Lord Melbourne the positive disclaimer of the statement as to passing a measure through the House of Lords, which the Report, according to your Lordship, imputed to *Lord Melbourne* as the *individual* by whom it was made. This you did by your assertion—"*At all events* I AM CERTAIN *that the report refers to the* NOBLE VISCOUNT." But, my Lord—your Lordship knows what is coming—you had been specially informed by myself and Mr Buchanan, at our interview with your Lordship on the 30th March, immediately after we had received the answer of Government, that the individual who made the statement mentioned in the Report, as to not being able to carry a satisfactory measure through the House of Lords, was LORD JOHN RUSSELL; and that your Lordship marked the circumstance, I am well aware; for I perfectly recollect the sneer with which you observed, that he was not so very sure of being able to carry his measures through the House of *Commons*. Your Lordship was also made perfectly acquainted with the fact, that we did not then see *Lord Melbourne* at all. It required no little boldness, my Lord—no slight command of countenance, on *this* occasion, and with a calm front, to accuse *others* of being "unscrupulous" in their statements.

To account for your Lordship's conduct throughout this affair, I shall not attempt, nor would it be easy for one unacquainted with the intricate windings of politics and diplomacy. Still less can I venture to guess how your Lordship will en-

deavour to escape from the entanglements in which you have involved yourself; unless, indeed, you should follow out your former course; tell us that, after all, we have "entirely misapprehended" your Bill; and, "to prevent further misapprehension," introduce some new clauses which will make matters more incomprehensible than ever. In that course, however, your Lordship must now be sensible how little there has been, calculated to satisfy even yourself. You have traversed a winding path to which you can have no pleasure in looking back; and you find that it has led you to a position which you can have still less pleasure in occupying. Having repeatedly taunted Lord Melbourne with not settling the question, you at last stepped forward, with an easy confidence, to do that which the Government, you said, ought to have done, but which, for the present, they had declined to attempt. With no little vaunting of what you were to perform, and amid the plaudits of your adherents for lightly placing on your shoulders the burden which the Government would not venture to lift, your Lordship brought forward the great and statesmanlike measure which was to heal all the differences of the Church, to restore peace, and secure the lasting gratitude of your country. It appeared; and your Lordship's total and absolute failure was manifest in a moment. At one glance, it was obvious that your Lordship's Bill, if passed into a law, instead of healing the breach, would render it perpetual,—instead of giving peace, would be the source of new and fiercer contentions,—instead of securing gratitude, would draw down on its author the indignant denunciations of the great body of the people of Scotland. That there is no probability of its being passed into a law, however, your Lordship is yourself apparently now sufficiently aware; and the conviction that this is the case, has restrained our people from wasting, in opposing it, exertions which require to be reserved for a still more important effort in this great contest, and which may soon be called into action. Meanwhile, your Lordship is entitled to the thanks of the Church and people of Scotland for one thing—for teaching them a lesson that will be of essential service in all their future contendings in this cause. Your Lordship has taught them, that so far as the religious rights of the people are concerned, they must look for no willing recognition at the hands of the aristocracy. Whatever power that body might have allowed to the Church, to be wielded as it was during the last century, according to the wishes of the patrons, they will, if they can help it, allow none that will be used for maintaining the privileges of the people. You have taught them, that equally determined

hostility awaits the *minimum* measure as the *maximum* measure. You have thus removed the only cause that threatened the division in our ranks, on which our enemies so gladly but so ignorantly speculate, and have firmly consolidated the friends of non-intrusion into one unbroken phalanx. You have demonstrated that all attempts at concession and conciliation are utterly vain—that these may lose to the Church the support of the people, but will not secure to it that of your Lordship and your adherents. You have taught us that our reliance on self-styled friends, who adopted our very name and password, has been a delusion; and, by showing the strength of political power, banded with the Moderate party and the Voluntaries, to defeat the claims of the people, you have also shown the necessity for a closer bond of union among them and their friends, and for the formation of an universally associated fellowship throughout the land, bound together by ties which will remain unbroken, when the strangely mingled array of our opponents shall be scattered to the winds. In a word, you have impressed firmly on all of us the conviction, that it is only in adherence to our principles, in demanding the full extent of what we are entitled to, in the goodness of our cause, in the support and union of the Christian people, and in a prayerful reliance on the Great Head of the Church, that we can expect a successful issue to our present struggles.

Your Lordship has taught us another lesson too, and one which you did not intend; viz. to view with more forbearance than we have been accustomed to show, the delay on the part of the Government to introduce any legislative measure for our relief. No one was more impatient at this delay than myself; but the recent exhibitions in the House of Lords have proved, that, at present, any attempt at legislation, except of a kind that would make matters ten times worse than they are, is absolutely hopeless. We must be contented, therefore, for some little space, to bear ourselves firmly under our difficulties; improving, it may be, our present law, in accordance with that which those who now constitute the majority of the Church have always preferred, by substituting the positive call for the negative, and which they nearly succeeded in engrafting on the Veto a few years ago; but steadily enforcing that and all our laws against our ministers and probationers, and preparing for an attempt to obtain that change of the law which alone, as we have now too good reason to know, will effectually secure us against the evils we are exposed to, and which alone the people will demand in a voice that the Legislature must listen to. Your Lordship has done more than any

man living, and in a shorter time, to remove the scruples of those who were long reluctant to concur in any step for the abolition of patronage; and should the present dispute not be speedily, nay, immediately settled, by the adoption of one of the measures which the Church is still willing to accept, you will soon witness an array against the existence of patronage for which your Lordship and your brother peers are but little prepared. Nay, my Lord, your Lordship has done still more against your order. With a blind infatuation which the experience of history and the events passing daily before your eyes are alike unable to remove, you are endangering the great bulwark of its existence, and driving on an excitement which, each hour, and mainly by your Lordship's own acts, is assuming, more and more, the character of hostility to the aristocracy; which is spreading, and if kept up, must rapidly spread in England; and which, combining with the other elements of opposition to them, will as surely issue in the overthrow of their power, as the very same infatuation, shown in the very same way, issued, in the days of Charles, in the overthrow of the monarchy.

Your Lordship flatters yourself in vain that your bill is favourably viewed by the people. The passage of some hundred petitions through your hands, when you were supposed friendly to our cause, may have given a colour to the *petitions*. It has not changed the sentiments of the *petitioners*. But it is on the *clergy*, not the *people*, that your Lordship professes mainly to rely. You have expressed your conviction that the clergy generally would accept your bill, and that the Assembly is only prevented from doing so, because it is unhappily governed, as your Lordship observes, by a few "ambitious lawyers." So far as this remark applies to myself and my legal brethren who have seats in the Assembly, I do not even bestow contempt upon it. I treat it with indifference. I avail myself of the opportunity which it affords me, however, of expressing an earnest hope, that the circumstance of the Assembly being liable to be thus spoken of, may induce the ministers of the Church to adopt what I have long ardently desired to see introduced—a modification of their present system of absolute rotation in the election of representatives to the Assembly, so as to secure the more constant presence in it of those ministers who are best fitted to take a lead in its deliberations, and relieve the elders from that undue prominence into which they are necessarily brought by being the only members who are returned every year.*

* When attendance on the Assembly was merely a matter of compliment, convenience, or pleasure, it might be well enough to act upon this

In so far as the remark of your Lordship above referred to asserts—as by unavoidable inference it does—that the clergy of the Church who, for some years past, have composed the majorities of the Assembly, would, in opposition to their professions and their pledges, in the solemn resolutions and declarations of the Church Courts, willingly accept your Lordship's Bill, I can only look upon it as a gross insult to them. Nothing could have been more noble and admirable than the calm, unpretending, but resolute and determined manner in which, year after year, the great body of our ministers, in defiance of all threats, and even dangers, have recorded their votes in support of the cause of the people; and nothing has been more striking in the conduct of their opponents, than their marked incredulity as to the existence of any real principle which could secure perseverance in such a course. Every step which the friends of the patrons took, was in the anticipation that the Church would give way. Time after time they were deceived, but yet they invariably imagined that the *next* step was at last to effect their purpose; and so even now they go on deceiving themselves, having no conception that any real sacrifice will be made for principle; and they may possibly have advanced too far for retreat before they are convinced that they have been in error. Without relying too much on human firmness and strength in the day of trial, let us trust that the same aid which

system of absolute rotation; but, in the present state of the Church, it appears altogether inconsistent with wisdom and prudence, that she should deny herself the opportunity of selecting a single member of Assembly from among her ministers, on account of his peculiar fitness for the conduct of affairs, in the emergency in which she is now involved; nay, that she should exclude them from the possibility of obtaining that intimate acquaintance with the business of the House which is necessary to enable them properly to lead it, and should refuse to allow those whose counsels guide the Church, to conduct and carry the measures that they have devised. The counterpart evil which results from the rotation now observed—viz. that the elders who are constantly in the House are necessarily, from that circumstance alone, brought forward into too great prominence—though inferior to this, is still of great magnitude, and it would be of the utmost importance to cure it. I should not desire to do away the scheme of rotation altogether, for there are advantages attending it; but if a certain proportion only were sent by rotation, and a certain proportion by election—say, for instance, two-thirds by rotation and one-third by election—the whole advantages of the former mode would be retained, and those of the latter conjoined with it. I believe, that if such a modified system of election were generally introduced, the Church of Scotland could exhibit a deliberative Assembly which the whole world could not match, and which would give far greater force and importance to its determinations; and I would fain hope that the taunt above referred to, while it fails, as I doubt not it will fail, to excite any jealousy on the part of the ministers of the Church, may have its due influence in bringing about an arrangement so desirable and so judicious in itself.

has hitherto preserved our numbers from defection will do so to the end.

In conclusion, my Lord, I have only to say a few words as to the position in which you must find yourself in regard to one distinguished individual, whose confidential correspondence with your Lordship you have now given to the world. Knowing the object which was nearest his heart—seeing his unbounded reliance on your Lordship for enabling him to attain it—your Lordship, throughout a long correspondence, allowed him to remain under the full conviction that he was to receive it from your hands. Cautious and guarded yourself, you have been the depository of his inmost thoughts. To you he unbosomed all his hopes and fears—his feelings towards your political opponents—his doubts as to the conduct of his colleagues of the Committee—their deliberations and the differences among them. During all this time, as your Lordship now informs us, you were resolutely determined not to grant the fond object of his desires. The knowledge of such resolution on your part would at once have destroyed his confidence, and broken off your correspondence; but this your Lordship, notwithstanding, still encouraged, till, having got the affair into your own hands, you could crush to the earth his long-cherished hopes; and when he expressed his disappointment and surprise, your Lordship, as if in the pursuit of a most paltry revenge, published his whole private and confidential letters, obviously not written by him as Convener of the Committee, or with their cognisance at all, but in his private and individual capacity alone, and great part of which had no bearing whatever upon the point at issue, and could only serve the end of exposing him to the hostility of others. Nor is your Lordship's conduct in this respect improved by a contrast with his. Refraining with scrupulous delicacy, though under some provocation, from the publication even of those parts of your Lordship's guarded correspondence, which had exclusive reference to the point in dispute, he at the same time endeavoured to excuse your Lordship from any blame in having given rise to the expectations which had been so cruelly disappointed; and at the very moment when your Lordship was publishing his inmost thoughts to the world, and charging him with being unscrupulous and dishonest in his statements, he, clinging to the fond belief that your Lordship was a "noble of nature as well as birth," was vindicating your Lordship from any intentional participation in that of which he so rightfully com-

plained. Among all the bitter mortifications, my Lord, which you have brought upon yourself, none could have given you so much pain as the reading of this proof of the generous nature of him you had tried to injure, in his still cherished opinion of yourself, with the withering consciousness of how utterly it was undeserved.

And now, my Lord, I have done. Your Lordship may affect to despise the exposure I have made—nay, your Lordship can probably afford to do so. You have, on your side, wealth and rank—a name known in the councils of the nation—political power, and, above all, the support of a political party which identifies the credit and character of its members with its own. I have truth alone. How little that can make head against the influence of the auxiliaries I have mentioned, is too often seen in the contests on this world's arena; but still it affords a higher satisfaction than, without it, the adulation of dependents and the praise of partisan adherents can ever give.

I am,

My Lord,

Your Lordship's obedient servant,

A. DUNLOP.

Edinburgh, June 27, 1840.

APPENDIX.

No. I.—*Letter from Rev. Dr Gordon to Lord Aberdeen.*

Edinburgh, 27th June 1840.

My Lord,

At a Meeting of the members of the General Assembly's Non-Intrusion Committee of last year, held in the course of the present week, they had under their consideration the Report contained in the Newspapers of a statement attributed to your Lordship on the occasion of moving the second reading of your Church Benefices Bill on the 16th inst.

On that occasion your Lordship is reported to have used the following expressions with reference to the Report presented by the Committee to the General Assembly which met in May last:—

"I will fairly tell the Noble Viscount, that I do not believe the statement contained in the Report. In the Report of the communications which the Committee have had with me, they have been so unscrupulous in their statements, that it is probable they have not dealt more honestly with the Noble Viscount."

As former Interim Chairman of the Committee, I have been instructed by the Meeting to enquire of your Lordship, whether you made the statement thus attributed to your Lordship;—and if so, I am farther directed to request, that your Lordship would acquaint me with the particular statements in the report of the Committee characterised as *unscrupulous*, and by plain implication *dishonest*,—and that your Lordship would, at the same time, have the goodness to point out the specific parts of the communications referred

to between your Lordship and the Committee, which your Lordship considers to have been misrepresented in the Report of the Committee.

I have the honour to be,
My Lord,
Your Lordship's most obedient
and very humble servant,
ROBERT GORDON.

The Right Hon. the Earl of Aberdeen.

No. II.—*Letter from Lord Aberdeen to the Rev. Dr Gordon.*

Argyle House, July 1st, 1840.

SIR,

I have had the honour of receiving your letter, written, as you inform me, in your character of "former Interim Chairman" of the General Assembly's Non-Intrusion Committee. My correspondence having, for some months, been carried on exclusively with the Convener of the Committee, I might, perhaps not unreasonably, have declined all communication with another functionary on the present occasion; but I beg to state, in answer to your enquiries, that having seen the printed Report of the Committee, I could not fail to observe its great inaccuracy, so far as I was concerned.* Having also ascertained, by the public declaration of Lord Melbourne, that it was still more incorrect with respect to his Lordship,†

* The passage in the Report alluded to, as inaccurate, in the preface to the Correspondence to which Lord Aberdeen in this letter refers the Committee, is as follows:—

"With reference to the Bill which has recently been presented to the House of Lords, and is entitled 'An Act to remove doubts respecting the admission of ministers to benefices in that part of the United Kingdom called Scotland,' your Committee are in no way responsible for its provisions. The noble framer of it had ceased to honour them with his correspondence for some weeks previous to its introduction into Parliament; and coming greatly short even of that measure in favour of which they had been led to anticipate the full consent of all the influential members of both Houses with whom he is associated, the appearance of the Bill in question could not fail to be met by them with feelings both of disappointment and surprise."

† The observations of Lord Melbourne with reference to the Committee's Report, occurred in the course of Lord Aberdeen's speech on moving the second reading of his bill on the 16th June, and are thus reported:—

"The Earl of Aberdeen.—But what right, I would ask, has the Noble Viscount to state, that any measure proposed by the Government would not

I referred to it in the manner which appeared to me to be necessary.

The nature of the inaccuracy, with respect to myself, is made sufficiently apparent by the recent publication in Edinburgh of my correspondence; and to this I beg to refer you.

I have the honour to be,
Sir,
Your obedient humble servant,
ABERDEEN.

The Rev. Dr Gordon.

No. III.—*Answer.*

Edinburgh, July 9, 1840.

MY LORD,

Your Lordship's letter in reply to that written in our name by one of our number—the Rev. Dr Gordon—has been communicated to us.

Although containing no direct answer to our enquiry, whether you made the statement quoted by Dr Gordon, we feel

pass your Lordships' House? There can be no good ground for such a statement, and for myself I can say that I never considered this as a party question. I have offered, and I still offer, to support any measure which the Noble Viscount brings forward, provided it is consistent with the law of the land and with the constitution of the Church of Scotland. Indeed, I am sure that there is no good ground for the statement of the Noble Viscount, that any measure of the Government relative to this subject would be objected to by your Lordships. This is not treating your Lordships in a manner becoming the Noble Viscount.

"Viscount Melbourne.—I do not remember it. Does the Report mention me?

"The Earl of Aberdeen.—No. The term is the 'Government,' but my Noble Friend must excuse me if I look to him as the Government. At all events, I am certain that the Report refers to the Noble Viscount.

"Viscount Melbourne.—I did not say any thing of the kind.

"The Earl of Aberdeen.—At all events, in another part of the Report of the Committee, reference is made to a meeting with Lord Melbourne, and that person, I presume, is the Noble Viscount opposite. In that portion of the Report it is stated, that Viscount Melbourne was anxious to see this question settled; and it was added, that the Noble Lord expressed his approbation of the measures of the Committee, including the Veto Act.

"Viscount Melbourne.—I do not remember having done so.

"The Earl of Aberdeen.—I will fairly tell the Noble Viscount that I do not believe the statement contained in the Report. In the report of the communications which the Committee have had with me, they have been so unscrupulous in their statements, that it is probable they have not dealt more honestly with the Noble Viscount.

"Viscount Melbourne.—I do not mean to say that, however."

warranted in holding your Lordship's letter to be a virtual acknowledgment that you did so.

When your Lordship, in your place in Parliament, accused office-bearers of the Church of Scotland as having been *unscrupulous* and (by plain inference) *dishonest* in the statements made by them to its Supreme Judicatory, in the exercise of a solemn and important duty, it certainly was not unreasonable to expect, that if your Lordship did not see cause to retract your charge, you should at least give that specification of particulars which might enable those you had accused most effectively to vindicate themselves. The specification desired by us, would of itself have proved how utterly unwarranted your injurious assertions had been.

Your Lordship, however, though not complying with our special request as to this matter, refers us, in general terms, to your printed "Correspondence;" and you state, that having seen our Report to the Assembly, and observed its "great inaccuracy" in regard to yourself; and also having heard Lord Melbourne's "public declaration," "that it was still more incorrect with respect to his Lordship," you referred to it in the terms which appeared to you "necessary."

Although our Report had been chargeable with "great inaccuracy," this could never have justified you in accusing us of having been unscrupulous and dishonest in framing it. The great inaccuracy, however, which you plead in defence, but which could not have afforded a justification of such charges, had no existence, as your Lordship might have been, and ought to have been, perfectly aware.

In so far as regards Lord Melbourne's alleged public declaration, that our Report was still more incorrect with respect to his Lordship, he, as to one remark said to have been made by him at an interview in July 1839, merely stated that he did not remember it; while, as to the other remark regarding the difficulty of passing a satisfactory measure through the House of Lords, the supposed incorrectness of the Report depended entirely on the assumption, that it imputed that remark to Lord Melbourne individually, which your Lordship is reported to have stated you were certain that it did; while you had previously been informed that the remark had proceeded from Lord John Russell.

In so far, again, as the Report related to the communications held with your Lordship, the "Correspondence" to which you refer us proves that we would have been fully warranted in using stronger language than we employed, when we stated that we had reason to expect from your

Lordship a different measure from that which you introduced. Your Lordship not only led us originally to expect the totally different measure, to which we had agreed to give an "attentive and favourable consideration,"* but you encouraged our belief and expectation, even for some time after you had resolved upon your present Bill,—a Bill founded on a proposition which your Lordship knew, as we had in the most explicit terms informed you, that we "could not listen to for a moment."†

Knowing well that your Lordship could not justify the injurious accusations made by you, we willingly gave you an opportunity, after the advantage of a few days' calm consideration, to withdraw them. Your Lordship has not availed yourself of it, and we now, therefore, publish this correspondence.

We have the honour to be,

My Lord,

Your Lordship's most obedient servants,

THOMAS CHALMERS, D.D.
ANGUS MAKELLAR, D.D.
HENRY DUNCAN, D.D.
ROBERT GORDON, D.D.
D. DEWAR, D.D.
JOHN SMYTH, D.D.
JOHN BRUCE, Minister of St Andrew's, Edinburgh.
R. S. CANDLISH, Minister of St George's, do.
RO. BELL, Procurator for the Church.
ROBERT BRUCE, of Kennet.
GEORGE BUCHAN, of Kelloe.
CLAUD ALEXANDER, of Ballochmyle.
J. M. HOG, of Newliston.
ROBERT KNOX TROTTER, of Ballendean.
JAMES C. BRODIE, of Lethem.
A. E. MONTEITH, Advocate.
A. DUNLOP, Advocate.

The Earl of Aberdeen.

* "The Committee are gratified to find that they have so entirely misapprehended your Lordship's sentiments, and they trust that they do not misunderstand them now, in supposing you to agree that the Church Courts should have the power to reject a presentee in consideration of the continued opposition of the people, although they should think the reasons assigned for that opposition as frivolous as that in the case supposed by your Lordship, viz., his hair being red. Your Lordship's proposition thus explained, will receive from the Committee an attentive and favourable consideration."—*Letter, Committee to Lord Aberdeen, February* 4, 1840.—*Correspondence*, p. 24.

† "—— Any proposition implying that the Church should not have power to reject, simply in respect of the circumstance that the congregation continued to oppose the settlement, they cannot listen to for a moment."—*Letter, Committee to Lord Aberdeen, January* 28, 1840.—*Correspondence*, p. 21.

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